

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

SUSAN PROVOST LEE, individually and )  
as Personal Representative of the )  
Estate of LARRY WINSLOW LEE, )  
 )  
Plaintiff, )

v. )

**JUDGMENT**

No. 5:13-CV-826-FL

AK STEEL CORP.; BRIGGS & )  
STRATTON CORPORATION; )  
CERTAINTEED CORPORATION; )  
CLOW VALVE COMPANY; DANA )  
COMPANIES, LLC; DEERE & )  
COMPANY; ECKLER'S CORVETTE; )  
FORD MOTOR COMPANY; FORMOSA )  
PLASTICS CORPORATION U.S.A.; )  
GENUINE PARTS COMPANY; )  
GRINNELL LLC; HAJOCA )  
CORPORATION; HAMMER & STEEL, )  
INC., HONEYWELL INTERNATIONAL, )  
INC.; J-M MANUFACTURING )  
COMPANY, INC.; KAWASAKI )  
MOTORS CORP, U.S.A.; McWANE, )  
INC. METROPOLITAN LIFE )  
INSURANCE COMPANY; PFIZER, INC., )  
PNEUMO ABEX LLC; SPECIAL )  
ELECTRIC COMPANY, INC.; UNION )  
CARBIDE CORPORATION; and )  
YAMAHA MOTOR CORPORATION, )  
U.S.A., )  
 )  
Defendants. )

**Decision by Court.**

This action came before the Honorable Louise W. Flanagan, United States District Judge.

**IT IS ORDERED, ADJUDGED AND DECREED** in accordance with the court's orders entered January 26, 2015; March 10, 2015; July 16, 2015; and July 27, 2015, and for the reasons set forth more specifically therein, that:

- (1) The motions to dismiss plaintiffs' false representation/fraud cause of action (Fourth Cause) as to defendants J-M Manufacturing Company and Formosa Plastics Corporation U.S.A. are granted for failure to state a claim by order of the court entered January 26, 2015 [DE 131].
- (2) The motions to dismiss plaintiffs' false representation/fraud cause of action (Fourth Cause) as to defendant Genuine Parts Company is granted by order of the court entered March 10, 2015 [DE 141].
- (3) Summary judgment is granted for defendant J-M Manufacturing Company regarding plaintiffs' claims to the extent they arise from pre-1983 exposures to Johns-Manville asbestos cement pipe by order of the court entered July 16, 2015 [DE 210].
- (4) Summary judgment is granted for defendant Formosa Plastics Corporation, U.S.A. by order of the court entered July 16, 2015 [DE 210].
- (5) Summary judgment is granted in part for defendant Genuine Parts Company regarding plaintiffs' willful and wanton conduct claim (Third Cause) by order of the court entered July 27, 2015 [DE 216].
- (6) All other claims arising in this action have been dismissed, subsequent to negotiation by the parties, through orders approving all joint motions tendered and filed pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure.

**This Judgment Filed and Entered on June 27, 2016, and Copies To:**

All Counsel of Record (via CM/ECF Notice of Electronic Filing)

June 27, 2016

JULIE RICHARDS JOHNSTON, CLERK

/s/ Christa N. Baker  
(By) Christa N. Baker, Deputy Clerk